

**SIKKIM**  
**GOVERNMENT**  **GAZETTE**

**EXTRAORDINARY  
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**Gangtok**

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**No. 58**

**GOVERNMENT OF SIKKIM  
URBAN DEVELOPMENT & HOUSING DEPARTMENT  
GANGTOK**

**No:1575 /UD&HD**

**Dated :14/02/2014**

**NOTIFICATION**

In exercise of the powers conferred by section 16 of the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985,(11 of 1985), the State Government is hereby pleased to make the following rules further to amend the Sikkim State Site Allotment Rules, 2012, namely:

**1. Short title, extent and commencement:**

- (1) These rules may be called the Sikkim State Site Allotment (Amendment) Rules, 2014.
- (2) They shall extend to the whole of Sikkim.
- (3) They shall come into force at once.

**2. In the Sikkim State Site Allotment Rules, 2012, (hereinafter referred to as the said Act) for rule 6, the following rule shall be substituted, namely:-**

***Amendment*      6 *Procedure for application*  
*of Rule 6***

- 1) Any person desirous of applying for a site under these rules shall make an application in Form I and deposit registration fee of Rs 5000/- (Rupees five thousand only) through a challan issued by the Urban Development and Housing Department under the relevant head at the State Bank of Sikkim. In case of reserved category, registration fee of Rs 2500/- (Rupees two thousand five hundred only) shall be deposited.
- 2) The challan shall be presented along with the application form I and documents completed in all respects to the Town Planner on working days.

- 3) The application form I shall be signed by the applicant himself. No applicant shall make any cutting, erasing or overwriting in the application. In case a person desires to make changes, it is advised to obtain and fill up a fresh application form.
- 4) No conditional application form will be considered. Incomplete application forms shall be rejected summarily without conveying any reason to the applicant.
- 5) Application for allotment does not entitle for claiming allotment of sites.

3. In the said rule, for rule 17, the following rule shall be substituted, namely:-

***Amendment of Rule 17***      ***17 Allotment of Additional sites***

- 1) Any person desirous of applying for additional site under these rules shall make an application in form I and deposit registration fee of Rs 5000/- (Rupees five thousand only) through a challan issued by the Urban Development and Housing Department under the relevant head at the State Bank of Sikkim. In case of reserved category, registration fee of Rs 2500/- (Rupees two thousand five hundred only) shall be deposited.
- 2) If for any reason of structural stability or genuine difficulties arising due to the land profile, it becomes necessary to allot additional area, it may be done only for the said reason and not exceeding the area required for stabilization of the building. The additional area shall not exceed 50 % (fifty percent) of the initially allotted site. This permission shall be given only once.
- 3) It is further subject to the condition that no additional allotment will be made on public gullies, public open spaces, etc or as indicated in the local area plan.4) Application for additional site allotment does not entitle for claiming allotment of sites.

4. In the said rule, after rule 19, the following rules shall be inserted namely;

***19 A      "Procedure for application of regularization of occupied sites***

- 1) Any person applying for regularization of site under these rules shall deposit registration fee of Rs 1500/- (Rupees one thousand and five hundred only) through a Bank Receipt of State Bank in the State Bank of Sikkim under the relevant head. In case of reserved category, registration fee of Rs 500/- (Rupees five hundred only) shall be deposited.
- 2) The Bank Receipt shall be presented along with the application form II and documents completed in all respects to the Town Planner on working days.
- 3) The application form II shall be signed by the applicant himself. No applicant shall make any cutting, erasing or overwriting in the application. In case a person desires to make changes, it is advised to obtain and fill up a fresh application. No conditional application form will be considered. Incomplete

application forms shall be rejected summarily without conveying any reason to the applicant."

- 4) However, the submitting of application form (FORM II) does not entitle for regularization of unauthorized construction as a matter of right.

**19 B     *"For all categories, documents to be submitted along with application form***

The applicant shall furnish the following documents along with the application form II , namely:

- 1) attested copy of Sikkim Subject Certificate (SSC) / Certificate of Identification (COI);
- 2) valid documental evidence other than those issued/recommended by elected representatives;
- 3) proof of residence namely attested copy of passport or identity card or election card or ration card or driving license or telephone bill or electricity bill or water bill (page carrying name and address);
- 4) affidavit stating that the facts mentioned in the application form is correct and that legal action can be taken against him/her for misrepresentation of facts;
- 5) in case of a woman applicant, certificate of marital status (if she claims to be single) or Sikkim Subject Certificate or Certificate of Identification of her spouse (if she is married)."

5. In the said rule ,after rule 24, the following rule shall be inserted , namely :-

**25     *"Power to Relax"***

In case of genuine difficulties arising out of the implementation of any of these rules, the State Government reserves the right to relax from application of any of the provisions which it considers justifiable on the merit of the case.

**TOBJOR DORJI  
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